

#### REMARKS

Claims 1-13 were pending.

Claims 1-3 are cancelled.

Claims 4 and 12 are amended.

Claims 14 is new.

Claims 4-14 are pending.

#### **35 USC 112, second paragraph**

Claim 4 is amended in step (ii.) to read:

subjecting the acidic aqueous mixture to one or more separation stages in which solid matter are removed from the acidic aqueous phase mixture to obtain an aqueous phase.

The applicant believes that this repairs the lack of antecedent basis for "the acidic aqueous phase" and the "obtained aqueous phase."

Claim 4 has been further amended to include the separation stage include mechanical means and specification of the flocculating agents as water soluble polymers, water-swellaable polymers and charged microparticulate material. Support for these amendments reside on page 3, paragraph 7 and page 9, second paragraph respectively.

Claim 12 is amended to depend from claim 4 as claim 1 is cancelled.

New claim 14 is added to reflect original claim 3 but depend from claim 4. Further support for this amendment may be found on page 3, 5<sup>th</sup> paragraph of the specification.

No new matter is added.

#### **35 USC 103(a)**

Claims 1-5 and 7-13 are rejected under 35 USC 103(a) as being unpatentable over Brink 4,384,897 in view of Moffett US 6,132,625.

Claim 6 is rejected under 35 USC 103(a) as being unpatentable over Brink as above and further in view of Foody, US 6,090,595

Examiner has advised applicant that claim 4 would be allowable if written to overcome the above 112 rejection and written to include the flocculating agents as well as a separation stage including a mechanical means for separation.

Applicant has amended as suggested by the examiner.

As the presently claimed combination of steps with flocculating agents is not fairly suggested by any combination of the above references, the applicant believes the application to now be in condition for allowance.

#### **Double Patenting Rejections**

Claims 1-11 are provisionally rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1-21 of copending 10/523,230 of claims 1-22 of 10/523,302.


Applicants have enclosed two terminal disclaimers thus overcoming the above rejection.

Reconsideration and withdrawal of the rejection of claims 4-14 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-14 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

  
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Enclosure: Terminal Disclaimers for 10/523,230 and 10/523,302.